

**ORDINANCE NO. 16  
SERIES 2000**

**AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF A PARCEL OF LAND 57 FEET BY 300 FEET ADJACENT TO LOTS 3 THROUGH 12, BOTH INCLUSIVE, BLOCK 145, TOWN OF WEST GUNNISON, ON THE EAST, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM R-3 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) TO C (COMMERCIAL DISTRICT) AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO.**

**WHEREAS**, Rodney N. Peterson and Heidi L. Peterson, as owners of the property hereinafter described, have filed an application with the City of Gunnison, Colorado, seeking a change of zoning of said real property; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the City Code of the City of Gunnison, Colorado, on September 13, 2000; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gunnison, Colorado, recommended to the City Council the approval of the requested change of zoning by recommendation adopted September 13, 2000; and

**WHEREAS**, the City Council of the City of Gunnison, Colorado, held a public hearing on the requested change of zoning on October 24, 2000; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:**

Section 1. Based upon the application seeking rezoning of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking rezoning of the property hereinafter described, and further, based on the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

- A. That the requested rezoning is consistent with the Master Plan and the purposes of the zone district applied for.
- B. That the surrounding neighborhood has been gradually changing to contain additional commercially-zone property.
- C. That the use of the property as commercial would be compatible with surrounding uses.
- D. That the requested rezoning would render non-conforming the existing use of a portion of the property for mobile homes.
- E. That the applicants' offer to covenant with the City that the mobile homes presently located upon the property sought to be rezoned would be removed within ten years of the date of the rezoning is an acceptable condition to rectify the non-conforming use of the property for mobile homes.

Section 2. That based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the rezoning of the property herein described, upon the condition set forth herein, is in the best interests of the City of Gunnison, Colorado, and its citizens.

Section 3. That the zoning classification of the real property described in the attached Exhibit A, incorporated herein by this reference, located in the City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from R-3 (Multiple Family Residential District) to C (Commercial District).

Section 4. That the change in zoning classification as requested by the applicants is specifically conditioned upon the execution by the applicants of a covenant, running with the land, requiring the removal of the mobile homes from the property described herein within ten years of the date hereof.

Section 5. That the official zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in zoning district classification of the property.

**INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED** this 14<sup>th</sup> day of